

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, JUNE 17, 1986

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Struiksma at 10:09 a.m. The meeting was recessed by Deputy Mayor Struiksma at 11:50 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Struiksma at 2:14 p.m. with Council Members Jones and McCarty not present. The meeting was recessed by Deputy Mayor Struiksma at 3:28 p.m. to meet as the Special Joint Meeting with the Redevelopment Agency. The meeting was reconvened by Deputy Mayor Struiksma at 3:41 p.m. Deputy Mayor Struiksma adjourned the meeting at 4:04 p.m. to meet as the Committee of the Whole.

ATTENDANCE DURING THE MEETING:

- (M) Vacant
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Gotch-present
 - (7) Council Member McCarty-present
 - (8) Council Member Martinez-present
- Clerk-Abdelnour (jb;eb)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present

ITEM-31: (R-86-2443) ADOPTED AS RESOLUTION R-266023

Commending Captain Pete Litrenta for his contributions to the civic endeavors of the San Diego community and his diligence in fostering congenial relations between San Diego and the United States Navy.

FILE: MEET

COUNCIL ACTION: (Tape location: D014-094.)

MOTION BY CLEATOR TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-330: CONTINUED TO JUNE 24, 1986 AT 10:00 A.M.

Two actions relative to the public service easement vacation in Lot 243, Paradise Gardens West Unit No. 6: (Skyline Drive/Paradise Valley Community Area. District-4.)

Subitem-A: (R-86-2028)

Vacating a portion of the open space easement in Lot 243 of Paradise Gardens West Unit No. 6, Map-10713, under Resolution of Intention R-265677, adopted on May 12, 1986.

Subitem-B: (R-86-2029)

Authorizing a Transmission Easement deed conveying to San Diego Gas and Electric Company an easement for 69KV overhead line purposes in a portion of Lot 243 of Paradise Gardens West Unit No. 6, Map-10713.

CITY MANAGER REPORT: San Diego Gas and Electric Company recently installed an overhead electrical transmission line across a portion of Lot 243 of Paradise Gardens Unit 6, a 10-acre parcel acquired in fee by the City in 1983 for open space subject to an existing City open space easement. The property lies south of Skyline Drive east of Woodman. SDG&E has requested an easement 12 feet wide and 240 feet long. The City Attorney's Office has ruled that the City cannot convey the Gas Company easements until it abandons a portion of the open space easement in accordance with prescribed open space abandonment laws. A Resolution of Intention setting aside the date for a public hearing must be authorized with the hearing and a resolution to vacate and the authority to grant the easement to be adopted some 30 days later.

FILE: STRT J-2607;

Subitem A F-3423;

Subitem B

DEED F-3424 DEEDFY86-2

COUNCIL ACTION: (Tape location: A010-080.)

Hearing began at 10:10 a.m. and halted at 10:16 a.m.

Testimony by Steve Davis.

MOTION BY JONES TO CONTINUE FOR ONE WEEK, AT HIS REQUEST.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,

Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,

Mayor-vacant.

ITEM-331:

Two actions relative to City Heights Block Grant Alleys,
Water and Sewer Main Replacement - Contract No. 4 1911 ACt
Assessment Roll No. 3999:
(East San Diego Community Area. Districts-3 and 8.)

Subitem-A: (R-86-2140) ADOPTED AS RESOLUTION R-266017

Considering the protests, and confirming the assessment in
the matter of the improvement of City Heights Block Grant
Alleys, Water and Sewer Main Replacement - Contract No. 4,
under Resolution of Intention R-262399, adopted on January
28, 1986.

Subitem-B: (R-86-2141) ADOPTED AS RESOLUTION R-266018

Authorizing the expenditure of \$51,886.42 from Community
Development Block Grant Fund 18518, Department 5613,
Organization 1301 and \$9,454.38 from Capital Outlay Fund
30245, Department 3245, Organization 100, CIP-58-007,
Ineligible Overhead for Federally Funded Projects, for the
purpose of making a contribution to the City Heights Block
Grant Alleys, Water and Sewer Main Replacement - Contract
No. 4 and for paying assessments for eligible property
owners.

CITY MANAGER REPORT: On July 1, 1985, Council awarded a
contract for improvement of 6 alleys in City Heights in
accordance with the Council adopted CDBG Assessment District
Cost-Sharing Program. Construction is now complete, and the
assessments must be levied. CDBG Funds will be used to pay the
costs that are assessed to owner-occupied properties where the
owner meets HUD income guidelines. Where property owners do not
satisfy both conditions, the assessment remains and may be paid

over a ten-year period. Each property owner has been sent information regarding the remaining cost assessable to their property, an eligibility form for CDBG funding, and a notice of today's hearing. The final amount assessed to the district is 12 percent below the amount noticed to the property owners at the time of the Public Hearing. Current information indicates that 43 out of 111 property owners satisfy the residency requirements. Information gained from the eligibility forms will determine which owners also satisfy the income requirements. In order to facilitate the timely discharge of assessments, it is proposed that CDBG Funds equal to the assessments against all owner-occupied parcels be authorized on the assumption that all will satisfy the income guidelines.

Aud. Cert. 86920.

FILE: STRT D-2252

COUNCIL ACTION: (Tape location: A081-200.)

Hearing began at 10:16 a.m. and halted at 10:25 a.m.

Testimony in opposition by Sam Nesbitt.

MOTION BY McCOLL TO CLOSE THE HEARING AND ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-332:

Three actions relative to the Penasquitos East Facilities

Benefit Assessment:

(See City Manager Report CMR-86-159. Penasquitos East Community Area. District-1.)

19860617

Subitem-A: (R-86-1999) ADOPTED AS RESOLUTION R-266019

Designating an area of benefit for a Facilities Benefit Assessment (FBA) in portions of the Penasquitos East Community Plan area, under Resolution of Intention R-265684, adopted on May 12, 1986.

Subitem-B: (R-86-2001) ADOPTED AS RESOLUTION R-266020

Authorizing the City Auditor and Comptroller to establish the Penasquitos East Facilities Benefit Assessment Fund (Fund No. 74004), such fund to be authorized to accrue interest to be used for the purposes of the fund.

Subitem-C: (O-86-179) INTRODUCED, TO BE ADOPTED JUNE 30,
1986

Introduction of an Ordinance amending Chapter X, Article 2, Division 4, of the San Diego Municipal Code, by amending Section 102.0406.06.6, relating to Park Fees in the Penasquitos East Community Plan Area.

FILE: STRT FB-5

COUNCIL ACTION: (Tape location: A201-370.)

Hearing began at 10:26 a.m. and halted at 10:36 a.m.

Testimony in favor by William Rose.

MOTION BY WOLFSHEIMER TO CLOSE THE HEARING AND APPROVE. DIRECT THE CITY MANAGER TO EXPLORE THE CONCEPT OF INCLUDING SCHOOLS WITHIN PENASQUITOS EAST FACILITIES BENEFIT ASSESSMENT (FBA).

ASSIST RANCHO PENASQUITOS EAST PLANNING BOARD AND THE PARK AND RECREATION COUNCIL IN THAT AREA IN THEIR EFFORTS TO AMEND THE

FBA. Second by Martinez. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,

Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,

Mayor-vacant.

ITEM-333:

Matter of a request to amend the Sabre Springs Community Plan to change the designation of Parcel 21 from Mobile Home Park (6-8 dwelling units/acre) to Low Density Residential (5-10 dwelling units/acre). The currently adopted community plan would allow 160 mobile homes on a 24.5-acre site. The proposed amendment would revise the land use designation, but would still not permit more than 160 residential units.

The site is located north of Poway Road between Tola Way and Sabre Springs Parkway within boundaries of the Sabre Springs Community Plan. The subject property is further described as a portion of the Northwest Quarter of Section 22, Township 14 South, Range 2 West, SBBM.

(District-1.)

19860617

Subitem-A: (R-86-) FILED

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-85-0739 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-86-2607) ADOPTED AS RESOLUTION R-266021,

DENYING AMENDMENT

Adoption of a Resolution approving or denying the amendment to the community plan.

FILE: LAND - Sabre Springs Community Plan

COUNCIL ACTION: (Tape location: A371-B323.)

Hearing began at 10:37 a.m. and halted at 11:16 a.m.

Testimony in favor by Mike Madigan and William Rick.

Testimony in opposition by Thomas W. Reese and Adeline Smith.

MOTION BY WOLFSHEIMER TO CLOSE THE HEARING AND DENY THE AMENDMENT. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-334:

Matters of:

1) Amendment of Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code by establishing the Community Plan Implementation Overlay Zone; and
2) Applying the Community Plan Implementation Overlay Zone (CPIOZ) to the property Park La Jolla located on La Jolla Boulevard between Turquoise and Colima Streets, in the Pacific Beach Community Plan area, which is presently zoned R-1000. The subject property is more particularly described as portions of Lots 1 and 2, Map-839, a partition of Pueblo Lot 1783.

3) Establishing a fee of \$500 for processing a CPIOZ Type A permit application and establishing a deposit of \$1500 for processing a CPIOZ Type B permit application. The boundaries of the proposed rezoning are as designated on that certain Map Drawing No. B-3737.1.

The purpose of the Community Plan Implementation Overlay Zone is to provide supplemental development regulations to the underlying zone to assure that development occurs in a manner consistent with adopted community plans and the guidelines, standards, and criteria contained therein, which relate to the properties over which this zone is applied.

(Case-85-0456. District-6.)

Subitem-A: (O-86-200) INTRODUCED AS AMENDED, TO BE ADOPTED JUNE 30, 1986

Introduction of an Ordinance establishing the Community Plan Implementation Overlay Zone.

Subitem-B: (R-86-2187) ADOPTED AS RESOLUTION R-266022

Adoption of a Resolution establishing a fee of \$500 for processing a CPIOZ Type A permit application and a deposit of \$1500 for CPIOZ Type B permit processing.

Subitem-C: (O-86-201) INTRODUCED, TO BE ADOPTED JULY 15, 1986

Introduction of an Ordinance for CPIOZ Zoning.

Subitem-D: (R-86-2188) CONTINUED TO JULY 15, 1986

Adoption of a Resolution approving the amendment to the Pacific Beach Community Plan, to become effective upon the amendment to the General Plan Map after the next omnibus hearing.

FILE:

Subitems A & C --;

Subitems B & D LAND -

Pacific Beach Community Plan

COUNCIL ACTION: (Tape location: A324-C190.)

Hearing began at 11:17 a.m. and halted at 11:54 a.m.

Testimony in favor by John Thelan.

Testimony in opposition by Rita O'Neil, Emma Albano, Maurice Bolduc and Kim Kilkenny.

MOTION BY GOTCH TO APPROVE WITH THE PLANNING GROUP'S VERSION, SUBSTITUTING THE FINDINGS IN THE PLANNING DEPARTMENT REPORT NO.

86-288 ON PAGE 5, PARAGRAPHS 2.a, 2.b, AND 2.c. Second by

Cleator. Passed by the following vote: Wolfsheimer-yea,

Cleator-yea, McColl-not present, Jones-yea, Struiksmay-yea,

Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-335:

A) Updating the Serra Mesa Community Plan, Tierrasanta Community Plan, and the General Plan Map to show the current CALTRANS alignment of State Route 52 and the resulting extent of the land use designations intended in these plans.

B) A proposal to amend the Progress Guide and General Plan of the City of San Diego by amending the General Plan Map to reflect the following recently approved plans:

1. Midway Community Plan amended December 3, 1985 by Council Resolution R-264615.

2. Midway Community Plan amended March 11, 1986 by Council Resolution R-265231.

3. Otay Mesa-Nestor Community Plan amended November 26, 1985 by Council Resolution R-264562.
4. Otay Mesa-Nestor Community Plan amended March 17, 1986 by Council Resolution R-265259.
5. San Ysidro Community Plan amended November 19, 1985 by Council Resolution R-264488.
6. Southeast San Diego Community Plan amended April 1, 1986 by Council Resolution R-265347.
7. Uptown Community Plan amended November 26, 1985 by Council Resolution R-264570.
8. University Community Plan amended November 26, 1985 by Council Resolution R-264552.

Subitem-A: (R-86-2475) ADOPTED AS RESOLUTION R-266024
Adoption of a Resolution approving the amendment to the
Serra Mesa Community Plan.

Subitem-B: (R-86-2476) ADOPTED AS RESOLUTION R-266025
Adoption of a Resolution approving the amendment to the
Tierrasanta Community Plan.

Subitem-C: (R-86-2477) ADOPTED AS RESOLUTION R-266026
Adoption of a Resolution approving that above amendments to
the Progress Guide and General Plan.

FILE:

Subitem-A LAND Serra Mesa Community Plan,

Subitem-B LAND Tierrasanta Community Plan.,

Subitem-C LAND Progress Guide and General
Plan.

COUNCIL ACTION: (Tape location: D106-220.)

Hearing began 2:22 p.m. and halted 2:31 p.m.

MOTION BY CLEATOR TO ADOPT SUBITEMS A, B, AND C. Second by
McColl. Passed by the following vote: Wolfsheimer-yea,
Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea,
McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-336: (R-86-) CONTINUED INDEFINITELY

Matter of the request of the Rancho de los Penasquitos

Planning Board that The San Diego City Council take action to correct the map dated December 11, 1985, showing the boundaries of the Penasquitos East Community Plan, to include property identified as Carmel Rancho 2 on the map dated March 14, 1986.

(Penasquitos East Community Area. District-1.)

Adoption of a Resolution approving or denying the request and boundary change.

NOTE: Continued on 4/14/86 by a vote of 6-0 at

Councilmember Wolfsheimer's request.

Approved on 4/21/86, Resolution R-265524 by a vote of 6-1.

Reconsidered on 5/5/86 by a vote of 7-0 to be renoticed for 6/17/86.

FILE: LAND Penasquitos East Community Plan

COUNCIL ACTION: (Tape location: D223-725, F043-328.)

Hearing began 2:31 p.m. and recessed 2:59 p.m.

Hearing resumed 3:43 p.m. and halted 4:04 p.m.

Testimony in opposition to a continuance by Jim Milch.

Testimony in favor of a continuance by Jay Powell.

Motion by Jones to continue to allow Planning Commission to consider the matter and report to Council. Second by Gotch.

Failed by the following vote: Yeas-4,6,7,5. Nays-1,2,3,8.

Mayor-vacant.

MOTION BY GOTCH TO CONTINUE INDEFINITELY UNTIL AFTER THE PLANNING COMMISSION HEARING AND ACTION. Second by Struiksmā.

Passed by the following vote: Wolfsheimer-nay, Cleator-yea,

McColl-yea, Jones-yea, Struiksmā-yea, Gotch-yea, McCarty-yea,

Martinez-nay, Mayor-vacant.

ITEM-S500: (O-86-218) INTRODUCED, TO BE ADOPTED JUNE 30, 1986

Introduction of an Ordinance amending Ordinance O-16649

(New Series) by amending Section 1, relating to

Establishing Compensation for the Legislative Body, to

include the recommendations of the Salary Setting

Commission for Mayor and City Council salaries.

(See Report from the Salary Setting Commission dated 2/14/86.)

FILE: --

COUNCIL ACTION: (Tape location: C191-211.)

MOTION BY MARTINEZ TO INTRODUCE THE ORDINANCE. Second by Gotch.

Passed by the following vote: Wolfsheimer-nay, Cleator-yea,

McColl-not present, Jones-yea, Struiksmā-yea, Gotch-yea,

McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-UC-6: (R-86-2613) ADOPTED AS RESOLUTION R-266028

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Commending Patrick W. Moore for his efforts to improve the
economic conditions of unemployed and disadvantaged San
Diegans during his tenure as Executive Director of the
Regional Employment and Training Consortium (RETC).

FILE: MEET

COUNCIL ACTION: (Tape location: F027-038.)

MOTION BY McCARTY TO ADOPT. Second by Martinez. Passed by the
following vote: Wolfsheimer-yea, Cleator-not present,
McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Martinez-yea, Mayor-vacant.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Struiksma at 4:04
p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: F328).